

REMARKS

I. Introduction

With the addition of new claims 10 to 13, claims 1 to 13 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Amendment to the Specification

As an initial matter, the Examiner will note that the Specification has been amended herein to correct a typographic error. No new matter has been added.

III. Rejection of Claims 1 to 9 Under 35 U.S.C. § 102(b)

Claims 1 to 9 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,418,965 (“Mahar”). Applicant respectfully submits that Mahar does not anticipate the present claims as amended herein for at least the following reasons.

Claim 1 relates to a method for verifying electronic data records including at least one of electronic shipping-voucher data and shipping data sent by a sender to an information system. Claim 1 recites checking the data record by the information system for a presence of errors. In contrast, the Office Action cites a portion of Mahar generally describing error handling and environment checks. The error handling routine of Mahar detects and handles errors during execution. For example, the routine may detect and handle “DOS errors” and “dBDO errors.” The error handling routine of Mahar does not check data records.

Claim 1 also recites routing the data record to a receiver if the data record is error-free. As discussed above, Mahar does not check a data record.

Claim 1 also recites storing the data record in a defined access area of the information system if the data record is faulty. As discussed above, Mahar does not check a data record.

Claim 1 also recites the data record stored in the defined access area being examinable by the sender and revisable. In contrast, Mahar generally describes an error table. The error table consists of a table of error messages of equal lengths and an error number assigned to each error message. The error table does not store data records.

In addition, Mahar fails to describe the defined access area being revisable. Col. 2, lines 1 to 25 describes that data records from a database may be examined. The cited portion does not describe revising the data records.

Similarly, Mahar does not anticipate amended claim 5 for at least the above reasons. In addition, Mahar does not anticipate amended claim 5 for at least the following additional reasons.

Amended claim 5 relates to an information system for verifying electronic data records containing at least one of electronic shipping-voucher data and shipping data sent by a sender to the information system. Amended claim 5 recites a first interface configured to receive a transmitted electronic data record and a second interface configured to route a non-faulty data record to a receiver. In contrast, Mahar generally describes a user interface to recall a single record at random from among thousands. Thus, Mahar does not disclose the two interfaces recited by amended claim 5.

It is “well settled that the burden of establishing a *prima facie* case of anticipation resides with the [United States] Patent and Trademark Office.” *Ex parte Skinner*, 2 U.S.P.Q.2d 1788, 1788 to 1789 (Bd. Pat. App. & Inter. 1986). To anticipate a claim, each and every element as set forth in the claim must be found in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of Calif.*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). That is, the prior art must describe the elements arranged as required by the claims. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Since Mahar fails to disclose, or even suggest, all of the features recited in claim 1 and amended claim 5, it is respectfully submitted that Mahar does not anticipate claim 1 and amended claim 5.

As regards claim 2 to 4, which depend from claim 1, and claims 6 to 9, which depend from claim 5, it is respectfully submitted that Mahar does not anticipate these dependent claims for at least the same reasons more fully set forth above.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

IV. New Claims 10 to 13

New claims 10-13 have been added herein. It is respectfully submitted that new claims 10 to 13 add no new matter and are fully supported by the present application, including the Specification.

Since claims 10 and 11 depend from claim 1, it is respectfully submitted that claims 10 and 11 are patentable over the reference relied upon for at least the same reasons more fully set forth above in support of the patentability of claim 1.

Since claims 12 and 13 depend from claim 5, it is respectfully submitted that claims 12 and 13 are patentable over the reference relied upon for at least the same reasons more fully set forth above in support of the patentability of claim 5.

V. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

KENYON & KENYON

Dated: *August 26, 2005*

By:


Richard L. Mayer
Reg. No. 22,490
One Broadway
New York, New York 10004
(212) 425-7200

BN 42,194
*(Clifford A.
Mayer)*